

B1  
concl'd.

33. A plant which contains the DNA as claimed in claim 30.

34. A plant as claimed in claim 33, which is a maize plant.

35. An agricultural method, comprising:

a) growing a plant as claimed in claim 34, which plant is tolerant to a glyphosate herbicide; and

b) applying a glyphosate herbicide to the plant.

ADD C1

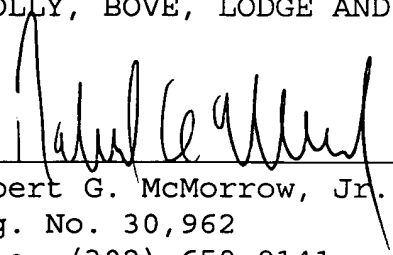
#### REMARKS

The claims are amended before action to claim the DNA of SEQ ID NO: 4, which DNA encodes an EPSPS enzyme which is mutated at positions 102 and 106. See page 20, line 21 to page 21, line 1 of the disclosure. Also now claimed are vectors, cells, plants and related method based on the mutated DNA sequence, which embodiments are described in the disclosure.

Favorable action on claims 30-35 is requested.

Respectfully submitted,

CONNOLLY, BOVE, LODGE AND HUTZ, LLP

By   
Robert G. McMorrow, Jr.  
Reg. No. 30,962  
Tele. (302) 658-9141

1220 Market St.  
Wilmington, DE 19899  
51379